

**STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION**

Meeting of the Commission
January 26, 2011
10:00 a.m.

James R. Thompson Center
Murdock Room - IDHS
Suite 5-300
100 West Randolph Street
Chicago, IL 60601

and

Lincoln Land Training Center
130 West Mason Street
Room 104
Springfield, IL 62702

MINUTES

PRESENT:

Commissioners

In Chicago

Martin R. Castro, Chairman
Sakhawat Hussain, M.D.
Charles E. Box
David Chang
Robert Enriquez
Nabi Fakroddin, P.E., S.E.
Marylee V. Freeman
Spencer Leak, Sr. (via telephone)
Munir Muhammad
Rozanne Ronen
Gregory Simoncini
Diane M. Viverito

In Springfield

Marti Baricevic

Staff

Reva Bauch
Dr. Ewa I. Ewa
Michael J. Evans
Harriet Parker
Donyelle L. Gray
Evelio Mora
Christine Welninski

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LaNade Bridges
Carol Comrie (Spring Coles Fellow)
Alexia N. Whitaker (Spring Coles Fellow)

Members of Public: Jack Catlin, Chicago Community Trust
Juanita Irizarry, Chicago Community Trust
The Honorable Karen Tamley, Commissioner
Mayor's Office of Persons with Disabilities

NOTICE:

Public meetings and closed meetings of the Illinois Human Rights Commission are audio recorded.

I. Call to Order

On January 26, 2011, at 10:00 a.m., Chairman Martin R. Castro called to order a meeting of the Illinois Human Rights Commission.

Pursuant to the Illinois Open Meetings Act, 5 ILCS 120/1 et seq., it was determined that:

- 1) A quorum of the public body was present at the meeting without the physical presence of Commissioner Leak.
- 2) Prior to the meeting, Commissioner Leak gave notice (and good cause as defined by the Illinois Open Meetings Act) to the General Counsel and Secretary of the Public Body, Harriet Parker, that he would be unable to be physically present at today's meeting. Commissioner Leak requested to participate via telephone.
- 3) The Commissioners voted to allow Commissioner Leak to participate via telephone for the January 26, 2011, meeting. Motion made by Commissioner Freeman, seconded by Commissioner Enriquez. Motion carried 12-0.

II. Consideration of Minutes

December 15, 2010

The Commission voted to approve the minutes of the December 15, 2010, meeting as submitted by staff. Motion to approve the minutes made by Commissioner Simoncini and seconded by Commissioner Hussain. Motion carried 13-0.

III. The Persons with Disabilities Fund of the Chicago Community Trust's White Paper: A Quest for Equality: Breaking the Barriers for People with Disabilities. A Call To Action For Illinois' Leaders

Mr. Jack Catlin, Co-Chair of the Persons with Disabilities Fund ("PDW") of the Chicago Community Trust, Ms. Juanita Irizarry, Committee Member of the PDW and Program Officer of the Chicago Community Trust, and the Honorable Karen Tamley, PDW Chair and

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Commissioner of the Mayor's Office for People with Disabilities presented the PDW's white paper, *A Quest for Equality: Breaking The Barriers for People with Disabilities*. This white paper examined three of the most challenging issues confronting people with disabilities which include the right to quality education and training, employment, and the right to live in the community. After the presentation the speakers entertained questions from the Commission.

IV. Staff Reports

A. N. Keith Chambers, Executive Director

Mr. Chambers was representing the Human Rights Commission at the Illinois Municipal Human Rights Symposium, and was therefore not present. Mr. Chambers had submitted his written report to the Commission prior to the meeting.

B. Dr. Ewa I. Ewa, Chief Fiscal Officer

Chief Fiscal Officer Ewa announced that the FY11 budget may be adjusted because of the union decertification of the Commission's Administrative Law Judges ("ALJs"). The union decertification, may necessitate a roll-back of the salaries of the Commission's ALJs.

Chairman Castro stated that he had met with the ALJs and that Mr. Chambers has reached out to the Governor's Office and CMS regarding the union decertification of the ALJs. Chairman Castro stated the Personnel Committee may revisit the issue of outside employment of the ALJs with possible recommendations to the Commission in February or March 2011.

Dr. Ewa discussed the Illinois Torture Inquiry and Relief Commission ("TIRC") and explained that the appropriated funds for the TIRC have not been transferred to the Illinois Comptroller's Office or to the Commission's account. As a result, the start date of the TIRC's Executive Director has been delayed. Dr. Ewa anticipates release of the budgeted funds within a week.

Dr. Ewa reported that the Commission has begun to spend the \$100,000 allocated for fair housing cases. Dr. Ewa submitted a voucher for the Commission's work in fair housing cases and the Commission has received funds for the work.

C. Michael J. Evans, Chief Administrative Law Judge

Chief ALJ Evans discussed the Administrative Law Section's statistics for December 2010. Mr. Evans reported that the number of window cases continue to increase. Mr. Evans stated that the union decertification of the Commission's ALJs has resulted in low morale among the ALJs.

Dr. Ewa suggested the Commission speak with the Office of the Governor and make a recommendation that the ALJs' salaries not be rolled back. Chairman Castro suggested the Commission's Personnel Committee review the salary issue and make a recommendation to the Commission.

D. Harriet J. Parker, General Counsel

General Counsel Parker welcomed Spring 2011 Coles Fellows Carol Comrie and Alexia N. Whitaker to the Commission. Ms. Parker discussed the Illinois Office of the Auditor General's

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Audit Survey for the Commission. The Survey covered the work performed by the Commission for FY2007 through FY2009. The Survey was submitted to the Office of the Auditor General in December 2010. Ms. Parker distributed copies of the Survey, without the attachments to the Commission. Ms. Parker promised to send copies of the entire Survey to all Commissioners wishing to receive a copy.

Ms. Parker advised the Commission to anticipate receiving Statements of Economic Interest forms from the Illinois Secretary of State on or about April 4, 2011. The Statements of Economic Interest must be filed on or before May 2, 2011. Ms. Parker advised the Commissioners that as the Commission's Ethics Officer, she is required to review all Statements prior to filing with the Secretary of State. Ms. Parker also advised the Commissioners of the penalties for not filing the Statements on time.

Ms. Parker gave a brief overview of a recent amendment to the Illinois Open Meetings Act. Section 5 ILCS 120/2.06(g) as amended allows visitors to speak at open meetings of a public body including the meetings of the Commission. Ms. Parker also advised the Commissioners that Section 5 ILCS 120/2.05 of the OMA permits a person to record the open meetings of a public body, including the open meetings of the Commission. Ms. Parker recommended the Commission's Rules and Regulations be amended to provide procedural guidelines for public participation and recordation of Commission meetings.

Chief ALJ Evans advised the Commission they were making factual determinations in Request for Review decisions and that counsels were citing these decisions in proceedings before the ALJs. Mr. Evans told the Commissioners to avoid making "factual findings", to rule on what is in front of them, and to avoid ruling on the issues.

Commissioner Baricevic suggested that ALJ Evans conduct a training session on this issue for the Commissioners. Chairman Castro suggested Ms. Parker assist Mr. Evans in this training which was agreed.

IV. Unfinished Business

A. Community Outreach

Chairman Castro reported that the Commission's Community outreach efforts are ongoing.

B. Diversity Dinner

An update on the Diversity Dinner was provided in Mr. Chambers' written report.

C. Annual Report Translations into Spanish and Polish

Chairman Castro reported the Annual Report has been translated into Spanish and Polish, and that these Reports had been posted on the Commission's website.

V. New Business

A. Coles Fellows Welcome

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The Coles Fellows were introduced during Ms. Parker's Report.

B. More Proactive Stance Regarding Issues of Civil Rights

Commissioner Hussain suggested the Commission continue its efforts to take a more proactive stance regarding issues of civil rights. It was agreed the Commission would from time to time set aside a portion of the En banc Meeting to discuss civil rights issues, and invite speakers (as Chairman Castro had today) to give talks on timely civil rights issues of the day.

VI. Executive Session

Executive Session

There was no Executive Session.

VII. Adjournment

The meeting was adjourned at 11:52 a.m. Motion made by Commissioner Hussain with a second by Commissioner Freeman. Motion carried 13-0.

Respectfully submitted,

Harriet Parker
General Counsel